

Future Fisheries Review Panel
Summer 2013
Wednesday, June 19, 2013

Attendees: Alan Johnstone, Bill Semmens, Representative Ted Washburn, Gary Frank, Rick Arnold, Mark Lere, Marvin Miller, Jim Darling, Greg Munther, Ann Schwend, Chuck Dalby, Corey Fisher and Jackie Windon

Applicants and others in attendance: Jim Olsen, Ryen Neudecker, Scott Eggeman, Eric Roberts, Beau Downing

Introductions were made and new members welcomed.
The group approved the **agenda** as prepared.

Mark Lere:

1. Gave a brief overview of the Future Fisheries website and the ease of submitting comments.
2. Gave a brief overview of minor changes based upon House Bill 533 of the recent Legislative Session. (See Handout)
3. Discussed the process and deadlines for applications for "Appointment to the Future Fisheries Review Panel".
4. Reviewed the Future Fisheries balances as of 05/15/2013 (See Handout)
5. Gave handout of staff recommendations and handed the meeting over to Marvin Miller

Marvin Miller:

Marvin directed the group in the review process and funding recommendations. The results are as follows:

018-13 Big Hole River Application

Amount Requested: \$12,500

Submitted by: Jim Tolton

Project Name: Weir Restoration to Improve Fish Movement and Floater Passage

Purpose: To repair a step rock weir diversion structure designed to enhance fish movement and allow floater passage by directing water, particularly in low flow periods, to the center of the river.

Discussion Points:

Jim Olsen (FWP) gave a brief description of the project and answered questions.

1. Was fish passage compromised? No
2. What was the original intent of the weir restoration? Flow regulation for drought management and boater passage
3. What is the primary fish benefit? Flow
4. Was an engineer involved with original restoration? Yes, as well as this fix. They did not anticipate the extreme high water that occurred in 2011.
5. Is landowner in favor of the project? Yes, he gave generously to the original project.
6. Benefits: water flows for drought management, safer navigation by boaters, downstream benefits flowing into the Jefferson and overall goodwill throughout the community.

Motion: Rick Arnold made the motion to approve the application as presented for the full amount of \$12,500. It was seconded by Chuck Dalby and approved unanimously by the panel.

Decision: ☒ Yes ☐ No

Amount Approved: \$12,500 (License \$'s)

019-13 Braziel Creek Application

Amount Requested: \$ 10,700 (RIT \$s)

Submitted by: Big Blackfoot Chapter of Trout Unlimited (Ryen Neudecker)

Project Name: Braziel Creek Restoration Project

Purpose: To restore approximately 540 feet of Braziel Creek to provide for a fully functional stream and riparian area capable of supporting westslope cutthroat trout. The project also involves riparian vegetation and grazing management plan.

Discussion Points:

Ryen Neudecker (Big Blackfoot Chapter of Trout Unlimited) gave a brief overview of the project and answered questions.

1. Is grazing management part of the project? Yes
2. Are they hybrid cutthroat? Yes, but 98% pure
3. What are FWP design concerns? The channel will still goes cross-valley and it is believed this restoration will only act as a band-aid versus a cure.

Motion: Chuck Dalby made the motion to approve the application as presented for the full amount of \$10,700. It was seconded by Rick Arnold. Corey Fisher (Trout Unlimited) abstained. The motion was approved unanimously by the remaining panel members.

Decision: ☒ Yes ☐ No

Amount Approved: \$10,700 (RIT \$'s)

020-13 Cameron Creek Application

Amount Requested: \$ 3,000

Submitted by: Bitterroot National Forest, West Fork Ranger District (Mike Jakober)

Project Name: Cameron Creek Streambank Restoration

Purpose: The purpose of this project is to improve westslope cutthroat trout habitat by rebuilding seven sections of collapsed and eroding stream banks along Cameron Creek.

Discussion Points:

Mark Lere gave brief overview.

1. What is the cause of the erosion? Cattle and/or loss of beaver dams
2. If cattle, is fencing involved? No but livestock management has gone to a rest-rotation system
3. If beaver, are they being reintroduced to the area? Unknown
4. What are the USFS and/or watershed groups doing above and below this stretch of stream and how will it impact this project? Working to stabilize the channel but specifics are unknown
5. Where is the required budget sheet for this application? It was not included with the original application.
6. The panel is very interested in extending goodwill, but would feel more comfortable if the applicant was present so the panel could make a more informed decision.

Motion: Rick Arnold made a motion to table this Application with instructions to come back next session with more details. The motion was seconded by Greg Munther and carried unanimously by the panel.

Decision: ☐ Yes ☒ No (Tabled)

Amount Approved: \$-0-

021-13 Owl Creek Application

Amount Requested: \$ 27,500

Submitted by: Swan Ecosystem Center (Scott Eggeman)

Project Name: Owl Creek Restoration

Purpose: To restore Owl Creek to a functioning stream channel capable of transporting flows and sediment and providing high quality fish habitat for a 98% genetically pure population of native westslope cutthroat trout. The design will address other limiting factors such as the removal of a fish passage barrier; isolation of the on-stream wetlands from the main Owl Creek channel; removal of all unnecessary road fills that are currently impacting the channel and floodplain; re-contouring and stabilizing disturbed areas; and replanting stream banks with native riparian vegetation.

Discussion Points:

Scott Eggeman (Swan Ecosystem Center) gave a brief overview of the project.

1. Is there any evidence of Bull Trout in the stream? No
2. The berm on the map, was that a former dam? The road itself with a small culvert is essentially acting as a "dam".
3. Expound on channels constructed outside the 310 regulations? The access road was created before 1937 by the owner at that time. However, the current owner is guilty of several smaller wetland violations. The Swan Ecosystem maintains this project will clean up the past and enhance the future.
4. Were any of the violators prosecuted? No. Jim Darling (FWP) indicated that 310 violations commonly do not involve a fine. Typically, the landowner is asked to repair the damage, which is usually higher than any fine that might be imposed.
5. Is the landowner contributing to the cost of repairs? Yes, a \$1,000 and is willing to add fencing for possible tenant's horse grazing in the future.
6. Why should the taxpayers buy the errant landowner a new road and repair his damages? To kick start restoration efforts in the Swan Valley that would benefit the fish population and wetlands.
7. Do they allow fishing access? Unknown.
8. The budget shows \$95/hr labor each for 3 men. Isn't that pretty exorbitant? That was part of some creative juggling of monies within the budget.

Motion: Representative Ted Washburn made the motion to deny the application. It was seconded by Chuck Dalby and unanimously accepted by the panel.

Decision: ☐ Yes ☒ No

Amount Approved: \$0

022-13 Racetrack Creek Application

This application was withdrawn by the applicant on June 18, 2013.

023-13 Redwater River Application

Amount Requested: \$ 100,000

Submitted by: Montana Fish Wildlife & Parks (Steve Dalbey Region 6 Fish Manager)

Project Name: Nickwall Crossing Fish Passage Project

Purpose: To provide fish passage at Nickwall Crossing on the lower Redwater River, McCone County.

Currently a manmade barrier exists in the form of a road crossing consisting of four 24-inch diameter concrete culverts spaced across the stream. The culverts are undersized and perched and do not provide fish passage. The structure is located approximately 1.25 river miles upstream of the confluence of the Missouri River. Creating fish passage at this road crossing would free up approximately 25 river miles of habitat for migratory fishes.

Discussion Points:

Mark Lere gave a brief overview of the project.

1. Bill Semmens (MDT) said this project is on the radar with Montana Department of Transportation. The Army Corp of Engineers has a mitigation requirement that allows MDT to do credit for credit spending on projects like this. However, it may take some time to work out the details. They may be able to match the funds and put in a larger culvert or even a bridge.
2. Is there a time limit on other funds? Will they lose it if this panel makes applicants wait for another session? Unknown
3. Where does the county stand on this project? Yes, but they do not have any funds, but can offer in-kind services.
4. If the panel approves it, does the county still have the opportunity to disapprove the project? Yes
5. Will this design maintain water flows and still keep materials in the pipe? Yes, except during very high flow events.
6. The budget estimates are from 2010 tables, are they still valid? Unsure, but if not, then applicant would just have to come up with the additional funds.
7. This project is a prime example that meets the intent of 2013 legislature to open up future fisheries funding for waters in the eastern part of Montana. It also opens up 25 miles of river and opens habitat for sauger, channel catfish and other species of warmwater fish.

Motion:

Ann Schwend made a motion to approve \$100,000 contingent upon (1) a letter of support from the county, (2) the flexibility to transfer the \$100,000 towards a bridge should the MDT be able to match their funding and (3) make sure cost estimates are current.

Alan Johnstone 2nd the motion and it was carried unanimously by the panel.

Decision: ☒ Yes ☐ No

Amount Approved: \$100,000 with contingency (RIT \$s)

024-13 Tenmile Creek Application

Amount Requested: \$ 32,350

Submitted by: Montana Fish Wildlife & Parks (Eric Roberts)

Project Name: Tenmile Creek

Purpose: Modify an irrigation diversion structure to allow fish passage, improve fish habitat, fence stream from livestock.

Discussion Points:

Eric Roberts gave an overview of the project.

1. Where does the Tenmile Creek drain? Prickly Pear Creek and eventually Lake Helena.
2. Has there been any dialog with DNRC concerning the movement of the headgate? Yes, that talk has been spear headed by FWP's Mike McLane and Andy Brummond.
3. Have there been any fish counts upstream? No, but the stream is becoming more fish friendly.

Motion:

Greg Munther made the motion to approve the project as proposed by applicant. Representative Ted Washburn seconded the motion. It was carried unanimously by the panel.

Decision: ☒ Yes ☐ No

Amount Approved: \$ 32,350 (License \$s)

Rick Arnold was appointed to the Summer 2013 ranking committee.

The next meeting of the Future Fisheries Review Panel was scheduled for **Thursday, December 19, 2013.**

Meeting was adjourned.